

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

NATHAN E. BURGESS

§

v.

§ Civil Action No. 4:19-CV-143  
§ (Judge Mazzant/Judge Nowak)

AUSTIN DEBERRY, ET AL.

§

§

## **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On May 9, 2019, the report of the Magistrate Judge (Dkt. #7) was entered containing proposed findings of fact and recommendations that Plaintiff Nathan E. Burgess's case be dismissed pursuant to Federal Rule of Civil Procedure 41(b).

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Plaintiff Nathan E. Burgess's case is **DISMISSED WITHOUT PREJUDICE**.

All relief not previously granted is **DENIED**.

The Clerk is directed to **CLOSE** this civil action.

**IT IS SO ORDERED.**

**SIGNED** this 18th day of June, 2019.



AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE